

Bottlenecks in Implementation of Foreign Investment Projects

1572. SHRI B.J. PANDA: Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) whether Government have identified the bottlenecks in the implementation of Foreign Investment Projects;

(b) if so, the details thereof;

(c) the steps taken to remove the bottlenecks in the process of implementation of those projects;

(d) whether any mechanism is being adopted to simplify the process so that the delay in implementation is avoided; and

(e) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (DR. RAMAN): (a) and (b) Infrastructure inadequacy, procedural complexities, need to market India as an investment destination, liberalisation of policies in the tertiary sector and creation of national consensus on Foreign Direct Investment (FDI) have been identified as some issues to be addressed.

(c) to (e) The Foreign Investment Implementation Authority (FIIA) has been set up with the objective of providing a single point interface between foreign investors and the Government machinery both at the Centre and the State level. The objective of this Authority is to remove procedural delays in the setting up of the projects and to create an atmosphere congenial to Foreign Direct Investment.

News-item Captioned "Man from Pune wins neem Patent battle"

1573. PROF. M. SANKARALINGAM: Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) whether Government's attention has been drawn to the news-item which appeared in Indian Express, dated 18th May, 2000 under the caption "Man from Pune wins neem patent battle";

(b) if so, whether Government will consider funding such battles in future;

(c) whether Government have conducted any research in this regard to fight for the patent rights of various commodities of Indian origin at international level; and

(d) if so, details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (SHRI DR. RAMAN): (a) Yes, sir.

(b) to (d) Patents are granted under the sovereign prerogative of countries according to their respective Patent Laws and have territorial effect, that is, they are effective only in the country of grant. However, as and when information is received about patents being obtained on certain items which are not considered patentable and which affect Indian interests, steps are taken to assess whether the grant of such patent can be challenged under the patent laws of the country concerned.

Earlier a patent granted in the United States of America on the use of turmeric in wound healing was challenged. The said patent was also cancelled.

Limited claims of the patent on Basmati Ricelines and grains granted in the United States of America have also been challenged.

In order to protect bio-resources, the Patents (Second Amendment) Bill 1999, contains provisions for mandatory disclosure of source and geographical origin of the biological material used in the invention while applying for patents in India. Provisions have also been incorporated to include the non-disclosure or wrongful disclosure of the same as grounds for opposition and for revocation of the patent, if granted. Provisions in this regard are contained in clauses 8, 17 and 28 of the said Bill.

In order to protect traditional knowledge from being patented, provisions have been incorporated in the Patents (Second Amendment) Bill, 1999, to include anticipation of invention by

available local knowledge, including oral knowledge, as one of the grounds for opposition as also for revocation of patent. Provisions in this regard are contained in clauses 17 and 28 of the said Bill.

Apart from this, Government has also initiated an exercise to develop a digital database of traditional knowledge in the field of medicinal plants to avoid patenting of such knowledge.

Illegal Trade across the Border

1574. SHRI BRAHMAKUMAR BHATT: Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) the number of persons arrested in 1999 and 2000 in connection with illegal trade across the open border;

(b) the details of such illegal trades; and

(c) the joint efforts being made by the countries across the borders to check such trades?

THE MINISTER OF COMMERCE AND INDUSTRY (SHRI MURASOLI MARAN): (a) Number of persons arrested by DRI in 1999 and 2000 till date in connection with illegal trade across the open borders is given under:—

Indo-Nepal border		Indo-Bhutan border	
1999	2000 (till date)	1999	2000 (till date)
27	24	Nil	Nil

“open borders” has been taken to mean the Indo-Nepal and Indo-Bhutan borders.